

In the Matter of)
)
Numbering Resource Optimization) CC Docket No. 99-200

July 17, 2000

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QWEST CORPORATION PETITION FOR RECONSIDERATION

I. INTRODUCTION AND SUMMARY

Qwest Corporation (“Qwest”)¹ requests the Federal Communications Commission (“FCC” or “Commission”) grant reconsideration of two subsections of 47 C.F.R. Section 52.15, specifically subsections (f)(1)(vi) (definition of “reserved numbers”) and (f)(4) and (5) (forecasting and utilization reporting requirements). Complying with both these subsections will not be completely possible for Qwest by July 17, 2000. Moreover, as discussed more fully below, there are substantive reasons why the provisions should be modified on reconsideration.

The Commission’s determinations around “reserved numbers,” as those are articulated in its NRO Order,² are contrary to long-standing carrier practices around number reservations, will work hardships on customers (especially large and governmental customers), and are not supported by substantial evidence in the record. There is no record evidence that carriers or customers “abuse” the number

¹ On June 30, 2000, U S WEST, Inc., the parent and sole shareholder of U S WEST Communications, Inc., merged with and into Qwest Communications International Inc. Further, on July 6, 2000, U S WEST Communications, Inc. was renamed Qwest Corporation.

² In the Matter of Numbering Resource Optimization, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd. 7574 (2000) (“NRO Order” or “Further Notice”).

reservation process or that a “time certain” imposed on that process will materially advance number optimization objectives. Given that reserved numbers constitute only a fraction of a carrier’s numbering resource inventory (in Qwest’s case, between 1/10th and 1/25th of 1 percent), but that the impacts of the Commission’s rules will be quite substantial and material in a negative way on those customers relying on the reservations, both logic and equity require that the “time certain” restrictions mandated by the Commission be reconsidered.

The numbering resource reporting requirements, while not inherently infirm from an intellectual perspective, suffer from lack of sufficient specific evidence around the “do-ability” of the reporting obligation as finally scoped and determined. Indeed, since the issuance of the NRO Order, certain activities have taken place that suggest that the reporting obligations could be far more expensive than either the Commission or carriers might have imagined. If so, the cost/benefit analysis associated with a “hypothetical” reporting obligation may not hold up under the detailed proposal.³

Moreover, as Qwest addressed in our recently-filed Request,⁴ while forecast and utilization reports of some type and some kind might be able to be filed by August 1, 2000, reports that correspond to the Commission’s vision of “electronic data reporting”⁵ or that conform to the proposed North American Numbering Plan

³ See discussion below associated with text and note 29 infra.

⁴ See Qwest Corporation Request for Expedited Deferral of Effective Date or, Alternatively, a Waiver or Stay of Portions of Soon-to-be-Effective Rule 47 C.F.R. Section 52.15(f), CC Docket No. 99-200, filed July 10, 2000.

⁵ Compare NRO Order, 15 FCC Rcd. at 7598 ¶ 53.

Administrator (“NANPA”) report form or format will not be available by that date.

Not all the data the FCC seeks to have reported is currently collected by number management Operations Support Systems (“OSS”). As a result, those OSSs must be modified. Complicating the matter is that precisely what data must be collected and how that data should be formatted and reported has not yet been resolved⁶ and will not be resolved until later this year, at the earliest.⁷ Until that final resolution, the changes to the OSSs cannot really be known, nor can a meaningful cost/benefit analysis be done.

For this reason, the Commission must consider the comments to be filed in September⁸ regarding the proposed NANPA form in order to adequately conduct a final cost/benefit analysis of the reporting obligations it imposed in its NRO Order. Then, carriers must be given some time to modify their OSSs to produce the data that meets the cost/benefit analysis. This will take full compliance with the Commission’s reporting rules into sometime next year. Thus, reconsideration of the reporting obligations is certainly necessary.

II. THE COMMISSION’S TREATMENT OF “RESERVED NUMBERS” SHOULD BE RECONSIDERED

The Commission’s treatment of “reserved numbers” should be reconsidered. It is contrary to the best interests of customers and their serving carriers.

⁶ See discussion below associated with text and note 29 infra.

⁷ See discussion below associated with text and notes 8 and 32 infra.

⁸ See Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission, Comments Requested, 65 Fed. Reg. 41666, rel. July 6, 2000 (“Information Collection Notice”).

Moreover, since the changes necessary to accommodate the 45-day reservation structure cannot be accomplished by the current effective date of the rule, this aspect of the recent NRO Order should not be enforced until the conclusion of the reconsideration process.

The “reserved number” definition is infirm from two perspectives. First, it is antithetical to the current method(s) by which telephone numbers are reserved and held for customers. Over decades, carrier number reservation practices have created certain customer expectations. In turn, customer expectations have been fundamental in the crafting of carrier telephone number reservation practices. No evidence supports a finding of abuse of this mutual accommodation. Yet the Commission’s rules would impose serious impediments to both carriers’ current operating practices and customers’ expectations and legitimate needs regarding telecommunications and related product purchases.

Second, most carriers currently do not have the kind of tracking/tickler systems necessary to allow for the transfer of a number from a reserved status to a non-reserved status at the end of a 45-day period.⁹ Such a system will have to be created, tested and implemented before the Commission’s rule (or any rule establishing a “time certain” for holding numbers in a reserved status) could be implemented. While Qwest has made some progress in identifying numbers “reserved” for 45 days for purposes of number resources reporting, we still lack any

⁹ Under the FCC’s rules, a number can only be in one category or another. 47 C.F.R. § 52.15(f)(1). Thus, at the end of the 45-day period, the number needs to be “pulled” from the one category and put into another one. See NRO Order, 15 FCC Rcd. at 7678 ¶ 232.

“tickler” capability to notify customers of the required change in status and to administer such a time circumscribed regime.

A. The Length Of Time Allowed For Number Reservations Is Insufficient

In the NRO Order, the FCC adopted a 45-day/no extension reservation policy regarding phone numbers,¹⁰ while simultaneously rejecting the 12-month/six-month (or two ninety-day) extension proposal of one of the national subject matter experts responsible for numbering recommendations, i.e., the North American Numbering Council (“NANC”).¹¹ The Commission should reconsider its position and -- at a minimum -- adopt the proposed reservation timelines proposed by the NANC.

The FCC’s reservation rule is so serious a departure from current carrier practices, which have in turn complemented existing customer expectations, that it will insinuate serious impediments into the planning and building needs of

¹⁰ See NRO Order, 15 FCC Rcd. at 7588 ¶ 23; 47 C.F.R. § 52.15(f)(1)(vi). As noted by correspondence from the Alliance for Telecommunications Industry Solutions (“ATIS”) to the Commission around May 5th of this year (including an attached Appendix seeking clarification to certain questions), it is not clear whether the 45-day requirement is to be calculated using business days or calendar days. See Industry Numbering Committee Clarification Questions Regarding FCC Order 00-104, Question 3. And see letter from May Y. Chan, GTE Service Corporation, to Ms. Magalie R. Salas, dated June 13, 2000, Attachment, Question A. Qwest intends to construe the rule to provide the most flexibility to our customers. Thus, we will be adopting a “business day” type of calculation (excluding weekends and holidays). We are aware that the Common Carrier Bureau (“Bureau”) recently issued a Public Notice to respond to certain questions about the meaning of the NRO Order, the question/response directed to how “days” are calculated (where the Bureau indicates that “days” are counted according to the Commission’s rules on filing documents/pleadings). However, the response did not indicate how days should be calculated in a numbering scheme or regime. There is no legal or logical relevancy of the Commission’s pleading/filing rules to the latter context. See Public Notice, Common Carrier Bureau Responses to Questions in the Numbering Resource Optimization Proceeding, DA 00-1549, CC Docket No. 99-200, rel. July 11, 2000.

customers generally and more particularly those of large customers, including governmental bodies.¹² Yet the “burden” imposed on these customers will have no corresponding number optimization “benefit,” since the “gain” in numbers will not be significant from a number optimization perspective.

Numbers held in reserved status generally constitute but a fraction of a carrier’s number resource inventory.¹³ As discussed more fully below, there is no

¹¹ See NRO Order, 15 FCC Rcd. at 7587-88 ¶ 22 and n.47.

¹² Qwest is confident that we are unaware of the volume of correspondence the Commission must have already received on this issue. However, we are aware of some. See e-mail from James D. Mullins, Emergency Medical Services Authority, to FCC, no date (but around May 1, 2000), expressing concern over the FCC’s 45-day reservation rule and its effect on business operations, including five-digit dialing within business’ operations; letter from Harris County Hospital District, to Ms. Magalie Roman Salas, dated May 4, 2000, expressing concern over SBC Communications, Inc.’s (“SBC”) communication to them that they may not be able to reserve the telephone number blocks they deem necessary to accommodate five-digit dialing within their operations; letter from SBC to Ms. Magalie Roman Salas, dated June 1, 2000, associating a letter to Mr. L. Charles Keller, Chief of Network Services Division, in which SBC expressed concern over the FCC’s reservation rule in light of its existing contractual relationships and customer needs. And compare undated, unsigned document from the State of Illinois, Department of Central Management Services, expressing concern over how the Commission’s number administration practices might adversely affect the state in its management of its telecommunications services (“Illinois Dept. of Central Mgmt. Svcs. Comments”); letter from Norman D. Cunningham, Assistant Superintendent, Support Services, Cypress-Fairbanks Independent School District, to Ms. Magalie Roman Salas, dated May 1, 2000, expressing concern with the FCC’s “assigned number” designation, because it would interfere with number assignments over the course of the years as the School District expands and adds numbering resources that need to be harmonized with existing resources and dialing patterns.

¹³ Qwest’s very generous estimate is that our inventory of reserved numbers constitutes between 1/10th and 1/25th of 1% of our numbering inventory. (This calculation is based on the sum of the reserved numbers we charge for plus estimates of additional reserved numbers held in states where no charging takes place, divided by our total inventory of numbers). We imagine this result is not dissimilar to other carriers.

proof that imposing a “time certain” limitation on holding a number in a reserved status can materially contribute to “optimizing” overall number inventory management. Stated conversely, there is no proof that allowing existing number reservation practices to continue compromises number optimization goals in any material way.

Current carrier practices often reflect an open-ended reservation practice, and such is sometimes reflected in specific contracts or state tariffs.¹⁴ Changing those practices, as will be required in order to comply with the Commission’s 45-day reservation rule, will -- without a doubt -- harm customers. While the Commission stated that “[t]he purpose of having *reserved numbers* is to give prospective clients some assurance that numbers with the characteristics those customers are seeking will be available to them in the near future,”¹⁵ what is in the “near” future with respect to telecommunications planning and deployment purposes is highly dependent on the size, type and fiscal characteristics of the business operation.

A substantial number of large business and governmental operations require market lead times well beyond the 45-day reservation period permitted by the FCC. Accommodating construction schedules and infrastructure requirements, securing phone listings, completing stationary orders, engaging in commercial communications with customers and crafting internal dialing patterns are all

¹⁴ Currently, in Qwest’s territory, state tariffs allow customers to reserve numbers but place no time frame on the amount of time that numbers can be held in such status. In some of these states, charges are imposed for the period of time in which the number is held in such a status.

¹⁵ NRO Order, 15 FCC Rcd. at 7588 ¶ 23.

placed at risk for large commercial and governmental customers, unless the Commission changes its position. Indeed, as Qwest stated in our Comments to the Further Notice in this proceeding, it is entirely likely that it would have been impossible for the FCC to have moved into the Portals with a five-digit internal numbering/dialing accommodation under the 45-day rule the FCC has prescribed.¹⁶

Moreover, as far as Qwest can determine, the FCC lacked any substantial record evidence to support a finding that carrier number reservation practices contribute in any significant or material way to number management inefficiencies. This is undoubtedly the case because such number reservation practices have been developed and refined over the years to accommodate customer needs, and such accommodation has not been shown to equate to inefficient utilization of numbering resources.

A look at the “record” on this issue is instructive. The Commission first proposed the 45-day limit in its 1999 Notice of Proposed Rulemaking associated with this proceeding.¹⁷ There the Commission posited that a limitation on the time in which a number could be held in a reserved status might be necessary to promote

¹⁶ See U S WEST Communications, Inc. Comments to the Further Notice, filed May 19, 2000 at Appendix A.

¹⁷ See In the Matter of Numbering Resource Optimization; Connecticut Department of Public Utility Control Petition for Rulemaking to Amend the Commission’s Rule Prohibiting Technology-Specific or Service-Specific Area Code Overlays; Massachusetts Department of Telecommunications and Energy Petition for Waiver to Implement a Technology-Specific Overlay in the 508, 617, 781 and 978 Area Codes; California Public Utilities Commission and the People of the State of California Petition for Wavier to Implement a Technology-Specific or Service-Specific Area Code, Notice of Proposed Rulemaking, 14 FCC Rcd. 10322, 10345 ¶ 49 (1999) (“NPRM”).

number management and optimization and to avoid carrier and customer abuse. However, the Commission there presented no evidence of such abuse. Nor did it show a correlation between current number reservation practices and number management “inefficiencies.”

No “evidence” was submitted by filing parties in support of the Commission’s speculative concerns around number reservation practices and numbering inefficiencies. The comments cited by the Commission in its NRO Order do nothing more than “agree” with the Commission that the definition of reserved numbers should be modified to include a time limit as proposed by the Commission.¹⁸ No substantive evidence was submitted that shows: (a) abuse was occurring with respect to reserved numbers; (b) such abuse was causing material numbering resource inefficiencies; or (c) imposing a 45-day reservation policy was necessary to protect against abuse and to remediate the inefficiencies. None of the referenced comments provided evidence to support the FCC’s expressed concern in the NPRM or its findings in the NRO Order that reserved number practices materially or substantially contribute to “number shortages” or “invite abuse.”¹⁹

¹⁸ NRO Order, 15 FCC Rcd. at 7588 n.52, referencing the comments of Massachusetts Department of Telecommunications and Energy (“Massachusetts”), Attachment A at 2-3, filed July 29, 1999, and the North Carolina Utilities Commission (“NCUC”) at 4, filed July 29, 1999. When reviewing these comments, it is clear that Massachusetts stated simply that the definition of the term “reserved number” should include a 45-day limitation; and NCUC posited a similar general statement, i.e., “[t]he NCUC supports setting time limits on the amount of time an NXX code may be held in reserved status, and believes that the suggested interval of 45 days is the maximum period of time that may be appropriate.”

¹⁹ NRO Order, 15 FCC Rcd. at 7588 ¶ 23. Even if there were anecdotal evidence of an occasional situation where the reservation process may have been “abused” by a

This lack of evidence leaves the Commission's 45-day rule unsupported by any demonstration of necessity or showing of cause and effect. The "evidence" submitted *via* letters to the Commission and filed documents will, almost certainly, be evidence against a 45-day rule. For this reason, the Commission should reconsider its reserved number definition.

There are other reasons for reconsideration, as well. Given the significant market discombobulation certain to attend the Commission's reserved number mandate, it is not unpredictable that carriers will seek to devise commercial practices that will attempt to recreate former telephone number reservation accommodations. These accommodations may increase costs for both carriers and customers, but the fact that they might allow the realization of legitimate planning needs may mean the accommodations would pass a commercial cost/benefit analysis for those affected parties, namely, the customer and the carrier.

For example, if, in order to hold a number for longer than 45 days, the number must be "working in the public switched network," it is not hard to imagine that creative energies will be expended to develop ways to allow telephone numbers to begin working this way (i.e., to get them "assigned"), even if there is no immediate need by the customer for full telephone service activation. Voice mail boxes might be associated with assigned numbers during the time between the identification of the telephone number need and the loop assignment. Of course,

particular customer, the *de minimis* quantity of such incidents could not form the basis for a finding that there is a systemic problem with current carrier telephone

such number management approaches create costs to consumers. These costs are unwarranted when there is no real expectation or demand that the business be receiving calls. In such a case, a flat out “charge for number reservations” would be a more straightforward approach and would probably be less expensive and administratively burdensome.²⁰

Another example of a need for a business “accommodation” to alleviate the (probably unintended) harmful effects to customers can be seen by comparing the way in which the number reservation rule affects Centrex customers versus those customers served by Private Branch Exchanges (“PBX”). The FCC’s proposal confers a (undoubtedly unintended) numbering management *benefit* on those customers served by customer premises equipment (“CPE”), while working a (undoubtedly unintended) *hardship* on Centrex customers.²¹ This disparity in the

number reservation processes so as to warrant the kind of market disruption that will attend the FCC’s prescribed 45-day rule.

²⁰ See *id.* at 7588-89 ¶ 25. And see NANC meeting of June 20-21, 2000, Action Items and Decisions Reached (June 23, 2000 Draft at 3). Numbering Resource Optimization (“NRO”) Working Group (“WG”). “NRO WG will provide a recommendation on fees for telephone number reservation extensions at the September NANC meeting.”

²¹ The “benefit” results from the fact that a PBX customer secures numbers in blocks and manages them internally, such that an internal PBX “non-working number” remains in a carrier “assigned” status (because the numbers is working in the public switched network to the PBX). However, that number can be held by the PBX user indefinitely in an “unused” status for its future activation, essentially allowing the PBX operator the ability to create a type of “reserved number inventory.” See Reply Comments of General Services Administration (“GSA”) to Further Notice, filed June 9, 2000 at 6-8 (describing how this process works). The PBX owner simply associates a vacant number recording to the number while it is not in use. There is no “comparable” internal management option for a Centrex user, at this time. While numbers are assigned to a Centrex “common block,” those numbers do not appear to meet the definition of “assigned numbers.” Thus, after 45

conference of benefits/burdens is contrary to the Commission's generally-expressed desire to regulate both categories of customers in a manner that produces no material benefit to providers servicing either category of customer.²² As with customers in need of numbering resources generally, this artificial PBX "benefit" might well be mitigated through some additional numbering management initiatives undertaken by the carrier,²³ but the fact that any action needs to be taken at all -- especially immediately -- is cause for concern.

For all these reasons, Qwest requests the FCC reconsider its 45-day reservation rule and modify it to allow carriers to continue with their existing number reservation practices. This is especially true during the period of time between now and when the FCC makes a determination about charging for the ability to reserve numbers. There is certainly no reason to adversely impact customers by changing the *status quo* for some interim time period, only to permit a more relaxed approach in the future.

In all events, however, the Commission should make clear that its 45-day

days, they would have to be pulled out of the common block and made available for assignment. This would destroy the value of the Centrex service for customers. See Illinois Dept. of Central Mgmt. Svcs. Comments.

²² See In the Matter of Telephone Number Portability, Third Report and Order, 13 FCC Rcd. 11701, 11777-78 ¶ 145 (1998). See also In the Matter of Access Charge Reform, Price Cap Performance Review for Local Exchange Carriers, Transport Rate Structure, Second Order on Reconsideration and Memorandum Opinion and Order, 12 FCC Rcd. 11606, 11515-19 ¶¶ 31-42.

²³ These might include creating a "vacant number recording" mechanism for Centrex users, allowing them to create a type of "assigned" "but not used" inventory, similar to the PBX customer. Undoubtedly this would require state tariffing, so some time would be necessary to put the practice into place.

rule only applies in those cases and to those customers requesting numbers in the future. Those customers already “holding” reserved numbers should be permitted to enjoy the benefit of their reasonable commercial expectations.

B. If Any “Time Certain” Is Associated With Reserved Numbers, Additional Time Is Necessary To Implement Tracking/Tickler Systems

Should the Commission refuse to eliminate absolute time frames in which a number can be held in a reserved status, carriers require more time to modify their current systems to allow for the kind of “tracking/tickler” mechanism necessary to remove a telephone number from a “reserved status” to another status at the end of the 45-day period. As indicated above, Qwest currently does not track the length of time in which telephone numbers are held in a reserved status.²⁴ Nor does Qwest have any current capability to “tickle” the number management systems to move a number from one status (e.g., reserved) to another (e.g., available for assignment).

While Qwest has been able to piece together certain data collection capabilities in order to identify those numbers that have been in a reserved status for 45 days **for the most part** (there still are about 10% to 15% of the numbers we may not have caught), this tracking mechanism is far from the kind of number tracking mechanism a company would want to accommodate electronic data collection and reporting. And, we still have no tickler to actually move numbers in

²⁴ In a few states, pursuant to state tariffs, Qwest charges for reserved numbers. Compare NRO Order, 15 FCC Rcd. at 7587-88 ¶ 22 (noting that customers are sometimes charged for reserving numbers). In those states where charging is required, Qwest does “track” the status of the number for billing purposes (i.e., through a Universal Service Order Code (“USOC”) designation) only. It does not track the number for any other purpose (e.g., to ascertain how long it has been in a reserved status).

and out of categories for end user/number management purposes. In order for a number management system to be created which would work in a commercially reasonable manner would, in Qwest's estimation, cost around \$2M and over a year to create. For this reason, Qwest asks that the effective date related to any "time certain" obligation for reserved numbers be postponed for at least one year. This would also provide additional time for the market to adjust to the Commission's new policies.

III. THE COMMISSION SHOULD RECONSIDER AND DEFER THE CURRENT REPORTING REQUIREMENTS UNTIL SUCH TIME AS A FINAL COST/BENEFIT ANALYSIS CAN BE DONE WITH RESPECT TO THE SPECIFICS OF THE OBLIGATION

In its NRO Order, the Commission mandated certain reports to be filed by carriers utilizing numbering resources. Specifically, carriers must file reports with the NANPA beginning August 1st of this year²⁵ and twice a year thereafter that provide: (a) forecast data;²⁶ and (b) utilization data.²⁷ While imposing a reporting mandate, the Commission does not prescribe the "look and feel" of the report. Nor did the Commission engage in a cost/benefit analysis of the actual reporting structure. Given the fact that some reporting models could cost so much that no "benefit" could warrant the reporting structure, the Commission should reconsider imposing the reporting obligation until the cost of the specific model is known and

²⁵ See NRO Order, 15 FCC Rcd. at 7594, 7603 ¶¶ 40, 67; 47 C.F.R. § 52.15(f)(6)(i).

²⁶ See id. at 7602 ¶ 65; 47 C.F.R. § 52.15(f)(4).

²⁷ See id. at 7603 ¶ 67; 47 C.F.R. § 52.15(f)(5).

understood. Only then can a meaningful cost/benefit and public interest analysis be done.

Carriers, such as Qwest, are currently attempting to create data collection and reporting capabilities that will allow them to comply with the FCC's reporting requirements. This effort is frustrated, however, by the shortness of the timeframe from the imposed obligation to the reporting requirement, as well as the lack of firm understanding as to what the report (and, therefore, the antecedent OSS capability) should, and will, look like. August 1, 2000 reports are bound to reflect this confusion and data vulnerability.

There are three separate problems with meeting the Commission's currently-mandated reporting obligations. First, as the Commission has acknowledged, any change in the current reporting obligations require up-front programming changes to the existing OSSs to allow for the data collection and reporting.²⁸ Second, making those changes is expensive. Not surprisingly, carriers want to make them only once, not multiple times. Until the "final format" of the report itself is resolved and understood, carriers are reluctant to make major changes to their systems. Third, the look and feel of the final reporting requirements probably will not be known before the end of the year and, after they are known, additional time will be required by carriers (the reporting entities) and NANPA (the receiving entity) to create appropriate interfaces. Thus, the resulting situation is the proverbial cart

²⁸ See id. at 7605 ¶ 72.

(i.e., the reporting obligation) before the horse (i.e., what must be collected and reported). This makes for an uneasy regulatory environment.

There has simply been insufficient lead time for carriers and the NANPA to resolve outstanding issues regarding the format of the number resource reporting form(s).²⁹ Yet, there remains an obligation to report. Obviously, something has to give. Either the reporting obligation must be suspended until the details of the

²⁹ For example, Qwest has received Microsoft Excel spreadsheets from the NANPA which contain many formatting “macros.” Some of these macros control spreadsheet elements that can be considered fairly minor, such as color scheme or embedded “help” text. However, other macros control more material items, such as allowing for the insertion and analysis of additional thousand block-specific information. These more complex macros make it more difficult for Qwest to directly import data from a different source -- such as another Excel spreadsheet or data file. To complete the recently-submitted NANPA spreadsheet, then, will require additional amounts of manual labor to verify the accuracy of the data within the spreadsheet. While this matter might easily be worked through in negotiations with NANPA, the timeline associated with the reporting obligation has simply been inadequate to accomplish such negotiations.

And another example. The proposed NANPA form requires that a carrier, such as Qwest, populate the name of the assignee of intermediate numbers. While Qwest has this information in our possession, this information does not currently reside in the primary numbering database that would be used to respond to the NANPA numbering report(s). To create the ability to conform to the current NANPA proposal would be very expensive and, in our opinion, not warranted by any purported “benefit.”

Yet compare Neustar, Inc. Petition for Compensation Adjustment, Request for Approval of Implementation Schedule and Emergency Request for Interim Relief, filed June 30, 2000 (“Neustar Petition”) at Attachment page 4-4, where Neustar states that “Due to the vast quantity of data to be collected from thousands of service providers, NANPA will not accept any service provider submission that does not conform to the [Central Office Code Utilization Survey] forms, associated spreadsheets, or [Electronic File Transfer] format as defined by NANPA” (footnote omitted).

report format are resolved³⁰ (including a finding on the cost/benefit analysis associated with the elements to be included) or the FCC must accept information almost on an “as is” basis from the carriers, i.e., data collected from the existing systems as those systems allow the information to be reported.³¹ What must be avoided is requiring carriers to significantly modify their current numbering management OSSs to report information in August 2000 and/or February 2001 and then requiring them to modify those systems again to conform to some future obligation that arises after the September pleading cycle.³²

All in all, the Commission must allow for procedures and formats that maximize the ability to electronically collect and report data and minimize manual

³⁰ Compare Neustar Petition where Neustar points out that there are insufficient data collection and reporting systems in place to meet the Commission’s August 1st date. Attachment page 4-3, Neustar outlines a “revised” schedule for reporting indicating that it could design and deploy a new reporting system by January of next year, to be “available for February 1, 2001 data collection cycle.”

³¹ Even attempting to proceed through some kind of “reduced” data collection/reporting methodology to the NANPA (i.e., what Neustar calls a Limited COCUS Solution,” (Neustar Petition at 4-2, 4-4 to 4-5) would be highly labor intensive (i.e., requiring manual efforts) and extremely expensive.

³² The Office of Management and Budget recently granted, on an emergency basis, the data collection requirements associated with the August 1, 2000 report, which date cannot be met. See Public Information Collections Approved by Office of Management and Budget, 65 Fed. Reg. 41461, rel. July 5, 2000. Data collection and reporting obligations associated with the “revised NANPA form” for next year (i.e., February 2001) are required to be submitted on September 5th of this year. See Information Collection Notice. As is obvious from note 29 supra, Qwest will be opposing certain of the form’s requirements as not being in conformity with the Commission’s estimated reporting burden.

efforts. The Commission has noted the importance of being able to collect and communicate numbering information electronically.³³ It has stated,

[W]e find that for any reporting system to operate efficiently, all carriers must report electronically. As a consequence, we believe that all or virtually all carriers should use electronic means to track their use of numbering resources. With electronic tracking of numbers, the level of detail contained in reports to the NANPA is **largely a matter of the up-front programming effort in designing a tracking system and preparing reports from it.**³⁴

Thus, to the extent that the up-front programming effort has not been completed, and certain proposals would compromise the “efficiency” and minimum burden the Commission was trying to realize, the Commission should reconsider its specific reporting requirements until the details of the reports are agreed upon. At a minimum, the Commission should defer the effective date of its rules, and the mandated filing dates, until such specifics are both known and deemed to be in the public interest.

IV. CONCLUSION

For all the above reasons, the Commission should reconsider and modify its number reservation rule and its number reporting requirements. The obligations imposed by those rules cannot be met by July 17th or August 1st. Moreover, the public interest would be served by a substantial modification to the number

³³ See NRO Order, 15 FCC Rcd. at 7605 ¶ 72.

³⁴ Id. (emphasis added).

reservation rule and a more specific cost/benefit analysis applied to the finally-determined reporting obligation.

Respectfully submitted,

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July 17, 2000

CERTIFICATE OF SERVICE

I, Kristi Jones, do hereby certify that I have caused 1) the foregoing **QWEST CORPORATION PETITION FOR RECONSIDERATION** to be filed electronically with the FCC by using its Electronic Comment Filing System, and 2) a courtesy copy of the **QWEST CORPORATION PETITION FOR RECONSIDERATION** to be served, via hand delivery, upon the persons/entity listed on the attached service list.

Kristi Jones

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July 17, 2000

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